

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 PM-09 H-02 INR-09 L-03 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12 NEA-10

GAC-01 MBFR-03 SAJ-01 ACDA-19 OMB-01 T-03 IO-12 OIC-04

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TO SECSTATE WASHDC 5774

INFO SECDEF WASHDC

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AMEMBASSY BONN

C O N F I D E N T I A L HELSINKI 0683

E. O. 11652: GDS

TAGS: PFOR

SUBJECT: CSCE: PRINCIPLES OF INTERSTATE RELATIONS- SOURCES

FROM RUSSELL TO

FROM USDEL MPT

REF: A) BONN 3737; B) STATE 44825

1. BEST SOLUTION TO PROBLEM OF SOURCES OF PRINCIPLES GUIDING RELATIONS WOULD, OF COURSE, BE REFERENCE TO UN CHARTER AND DECLARATION ON FRIENDLY RELATIONS ONLY. SOVIET FIRM POSITION TO DATE IN HELSINKI DISCUSSIONS HAS BEEN THAT SOURCES OF PRINCIPLES SHOULD INCLUDE THE UN CHARTER AND BOTH THE DECLARATION ON STRENGTHEN-
ING INTERNATIONAL SECURITY AND THE DECLARATION ON FRIENDLY RELATIONS OR SHOULD OMIT REFERENCE TO BOTH DECLARATIONS AND CITE ONLY UN CHARTER. SOVIETS APPEAR WILLING TO DROP EXPLICIT REFERENCE TO BILATERAL INSTRUMENTS IF WESTERN REPS CONTINUE TO OPPOSE.

2. ASSUMING SOVIET POSITION REMAINS FIRM, WE SEE SOME ADVANTAGE TO CITING BOTH DECLARATIONS AS OPPOSED TO OMITTING REFERENCE TO BOTH. AS STATED IN REFTEL A, SIS DECLARATION INCLUDES
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REFERENCE TO HUMAN RELATIONS AND SELF- DETERMINATION WITHOUT MENTIONING INVIOABILITY OF FRONTIERS. THE HUMAN RIGHTS PARA IS STATED IN RELATIVELY FORCEFUL TERMS. REFERENCE TO DECLARATION ON FRIENDLY RELATIONS PROVIDES STRONG ARGUMENT THAT INVIOABILITY OF FRONTIERS IS SUBSIDIARY CONCEPT TO NON- USE OF FORCE. CONSEQUENTLY CITATION OF BOTH DECLARATIONS HOLDS CERTAIN ADVANTAGES FOR THE WEST. ON THE OTHER HAND, PARA 1 OF SIS DECLARATION CONTAINS FORMULATION ON EQUAL APPLICATION TO ALL STATES CONCEPT WHICH SOVIETS WILL PROBABLY ATTEMPT TO MAKE USE OF IN CSCE TEXT, REGARDLESS OF SOURCES WHICH ARE CITED. THIS WOULD BE AN UNSATISFACTORY RESULT FROM WESTERN POINT OF VIEW IN THAT IT WOULD NOT CLEARLY APPLY TO STATES IN THE SAME SYSTEM AND THEREBY REFUTE BREZHNEV DOCTRINE. IN AN ATTEMPT TO COUNTER THIS POSSIBILITY BY POINTING UP FACT THAT SIS DECLARATION IS OF LESSER LEGAL STANDING THAN FRIENDLY RELATIONS DECLARATION, CANADIANS ARE CONSIDERING TABLING THE FOLLOWING LANGUAGE FOR MANDATE TEXT ON SOURCES OF PRINCIPLES: " THE COMMITTEE-- SUB- COMMITTEE-- SHAL ENSURE THAT THE TEXT IS CONSISTENT WITH THE PURPOSES AND PRINCIPLES OF THE UNITED NATIONS CHARTER AND WITH THOSE PRINCIPLES SOLEMNLY PROCLAIMED IN THE UNITED NATIONS DECLARATION RELATING TO FIENDLY RELATIONS AMONG STATES AND CONTAINED IN THE UNITED NATIONS DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY. IT SHALL PAY SPECIAL ATTENTION TO THE FOLLOWING PRINCIPLES: . . "

3. AN ADDITIONAL ARGUMENT IN FAVOR OF REFERRING TO THE TWO DECLARATIONS IS THAT ALTHOUGH CITATION OF ONLY UN CHARTER WOULD DIMINISH POTENTIAL PROBLEMS DISCUSSED ABOVE WITH PARA 1 SIS, CITATION OF THREEE PREFERRED SOURCES, WITH NO RPT NO MENTION OF BILATERAL AGREEMENTS, WOULD BE USEFUL IN RESISTING ANY LATER SOVIET ATTEMPTS TO DRAW UPON SUCH AGREEMENTS AS SOURCES.

4. THOUGH WE FEEL THERE IS SOME ADVANTAGE TO BE GAINED IN CITING CHARTER AND TWO DECLARATIONS, IN FINAL ANALYSIS WE WOULD PROBABLY WISH TO FOLLOW FRG DESIRES IN THIS REGARD SINCE FRG VIEWS THIS AND QUESTION OF PRINCIPLES LIST AS VITAL TO ITS INTERESTS.

5. USNATO AND BONN MAY WISH TO COMMENT ON ABOVE.
PETERSON

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